

**ZB# 89-41**

**Shady Grove Assocs. /  
Suburban Homes**

**51-2-3**

#89-41 - Suburban Homes of Orange County - rear yard.

Prelim.

July 10, 1989.

Public Hearing:

Aug. 14, 1989.

Notice to Sentinel on: ✓  
7/17/89.

51-2-3

Paid Fee \$25.00

Approved.

Area Variance

8/14/89.

Ck # 2602 -  
7/27/89 - Paid

Contact  
for: Suburban  
Homes.

Owner:  
Shady Grove  
Assoc.

**Oxford®**

ESSELTE

MADE IN U.S.A.

NO. 753

NEW WINDSOR ZONING BOARD OF APPEALS

-----x

In the Matter of the Application of  
SHADY GROVE ASSOCS./SUBURBAN HOMES OF  
ORANGE COUNTY, INC.

DECISION GRANTING  
AREA VARIANCE

#89-41.

-----x

WHEREAS, SHADY GROVE ASSOCIATES, a partnership having an office located at 12 Scotchtown Avenue, Goshen, N. Y. 10924 and SUBURBAN HOMES OF ORANGE COUNTY, INC., a domestic corporation having an office located in Salisbury Mills, N. Y. 12577, by its President, Edward Biagini, has made application before the Zoning Board of Appeals for a 4.56 ft. rear yard variance to allow an existing single-family residence on Wagner Drive in an R-1 zone; and

WHEREAS, a public hearing was held on the 14th day of August, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant, SUBURBAN HOMES OF ORANGE COUNTY, INC., appeared by its President, Edward Biagini; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the bulk regulations with regard to rear yard in order to obtain a Certificate of Occupancy for a single-family residence.

3. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable rear yard would be required in order to allow the issuance of a Certificate of Occupancy for the construction of a single family residence which otherwise conforms to the bulk regulations contained in the R-1 zone and rejection of same would cause practical difficulty to Applicant since the relief sought by Applicant is not substantial in relation to the required bulk regulations.

4. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

5. The requested variance will produce no effect on the population density or governmental facilities.

6. That there is no other feasible method available to Applicant which can produce the necessary results other than the variance procedure.

7. The interest of justice would be served by allowing the the granting of the requested variance.

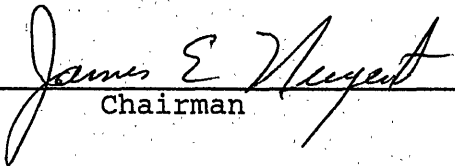
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 4.56 ft. rear yard variance sought by Applicant in accordance with plan filed with the Building Inspector dated 6/8/88 and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 11, 1989.

  
Chairman

Shady Grove Associates  
P.O. Box 698  
Goshen, New York 10924  
July 19, 1989

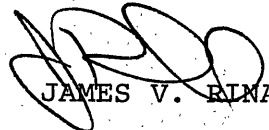
Edward Biagini, President  
Suburban Homes of Orange County Inc.  
P.O. Box 286  
Salisbury Mills, N.Y. 12577

Re: Lot #17  
Sec. 51 Block 2 Lot 3

Dear Ed:

This will confirm that you are the contract purchaser on Lot #17 on a Map entitled Map of Subdivision of Buhl and Rinaldi dated November 17, 1986 and filed as Map No. 8778 and which lot is known as Section 51, Block 2, Lot 3 on the tax maps of the Town of New Windsor. On behalf of Shady Grove Associates I hereby give you permission to apply for a variance for the purpose of approval for the house side lines as presently constructed.

Very truly yours,



JAMES V. RINALDI

JVR/bw  
cc: John McGuirk, Esq.  
David Levinson, Esq.



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

#89-41

496-4124-

*Prulm,*  
*July 10, 1989*

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT

1763

FILE NUMBER 89-32

TO: Suburban Homes of Orange County

P.O.Box 286

Salisbury Mills, N.Y.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 5 JUL 89,

FOR PERMIT TO Obtain C.O. - existing residence

AT Wagner Dr. IS DISSAPROVED ON THE

FOLLOWING GROUNDS Insufficient setbacks

ZONE R-1 TYPE OF VARIANCE Land Area

REQUIREMENTS PROPOSED VARIANCE

Rear Yard 50' 45.44' 4.56'

CALL PAT BARNHART (ZBA SECRETARY) AT 565-8550 FOR APPOINTMENT

*Bill Fulmer*

BUILDING/ZONING INSPECTOR

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2-FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3-INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4-WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5-INSULATION.
- 6-PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME.
- 7-DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR.
- 8-\$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9-PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10-THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- 11-SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- 12-SPETIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13-ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.

Name of Owner of Premises Suburban Homes of O. C., Inc.

Address P.O. Box 286 Salisbury Mills NY Phone 496-4124

Name of Architect Jerry Sherman

Address STation Road, Salisbury Mills Phone 496-6833

Name of Contractor Same as owner

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder: owner

If applicant is a corporation, signature of duly authorized officer:

Edward Biagini, Pres  
(Name and title of corporate officer)

1. On what street is property located? On the west side of Wagner Drive  
(N. S. E. or W.)  
and 1000 feet from the intersection of BEattie Road

2. Zone or use district in which premises are situated \_\_\_\_\_

3. Tax Map description of property: Section 51 Block 2 Lot 3

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy vacant land b. Intended use and occupancy one family res.

5. Nature of work (check which applicable): New Building X Addition ..... Alteration ..... Repair ..... Removal .....

Demolition ..... Other .....

6. Size of lot: Front 154'± Rear 163' Depth 508' Front Yard ..... Rear Yard ..... Side Yard ..... 2.5 acres

Is this a corner lot? .....



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Address  Phone

State whether applicant is owner, lessee, agent, architect, engineer or builder: owner

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4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:  
a. Existing use and occupancy vacant land b. Intended use and occupancy one family res.

5. Nature of work (check which applicable): New Building  Addition X Alteration  Repair  Removal   
Demolition  Other

6. Size of lot: Front 154'± Rear 163' Depth 508' Front Yard  Rear Yard  Side Yard  2.5 acres  
Is this a corner lot?

7. Dimensions of entire new construction: Front 68' Rear  Depth 28' Height  Number of stories 2

8. If dwelling, number of dwelling units 1 Number of dwelling units on each floor

Number of bedrooms 4 Baths 2 Toilets 3

Heating Plant: Gas  Oil X Electric  Hot Air  Hot Water X

If Garage, number of cars 2 car att.

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use

10. Estimated cost \$75,000 Fee   
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....  
Approved.....19.....  
Disapproved a/c.....  
Permit No. ....

Office Of Building Inspector  
Michael L. Babcock  
Town Hall, 555 Union Avenue  
New Windsor, New York 12550  
Telephone 565-8807

Refer —

Planning Board.....  
Highway.....  
Sewer .....  
Water .....  
Zoning Board of Appeals .....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

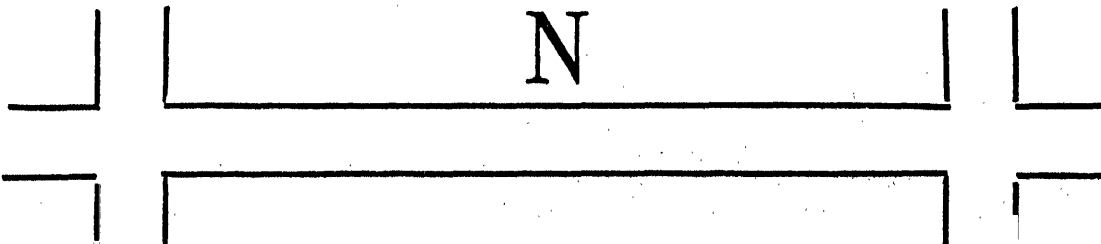
(Signature of Applicant)

(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Highway .....  
Sewer .....  
Water .....  
Zoning Board of Appeals .....

Pursuant to New York State Building Code and Town Ordinances

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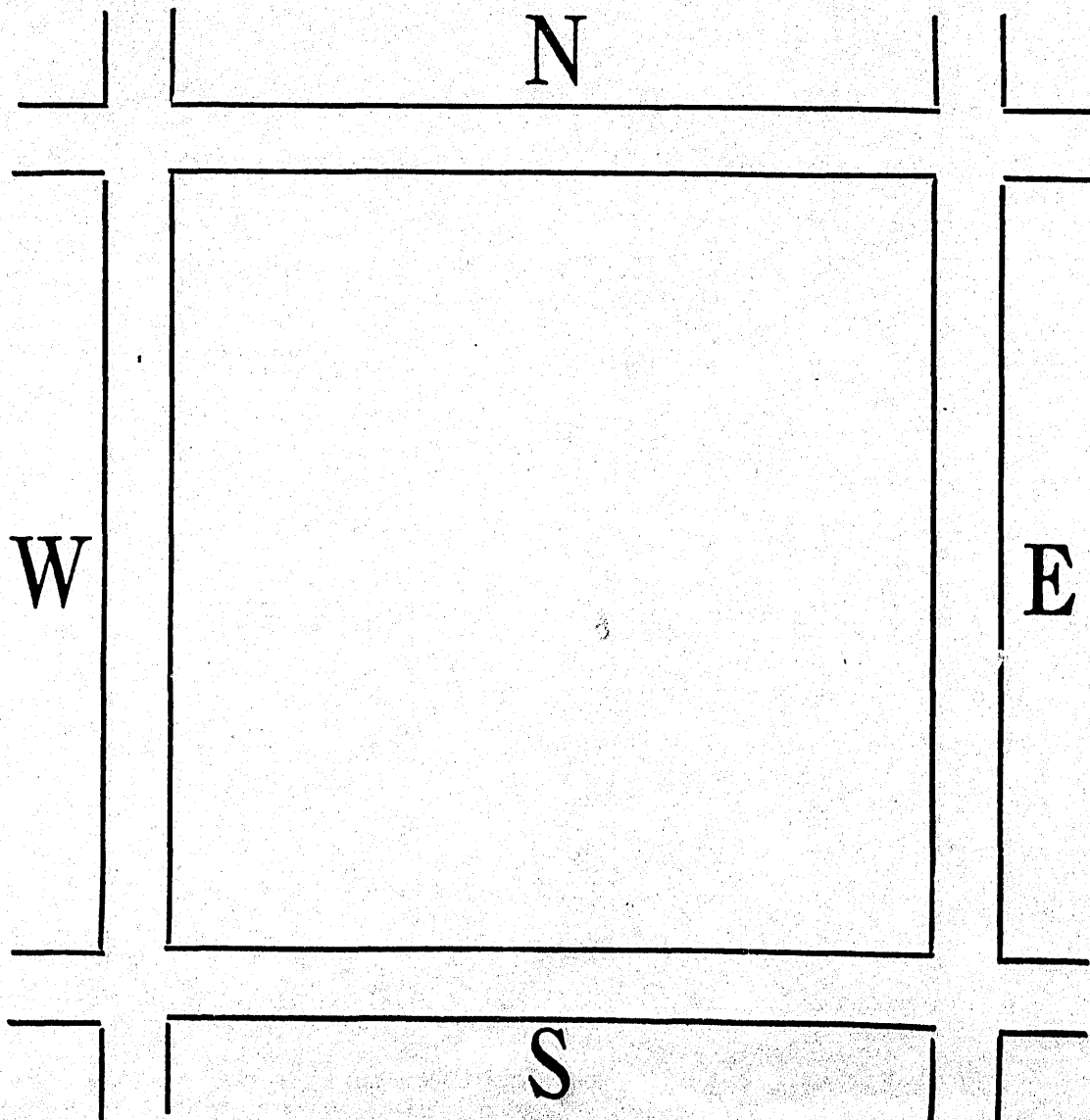
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### PLOT PLAN

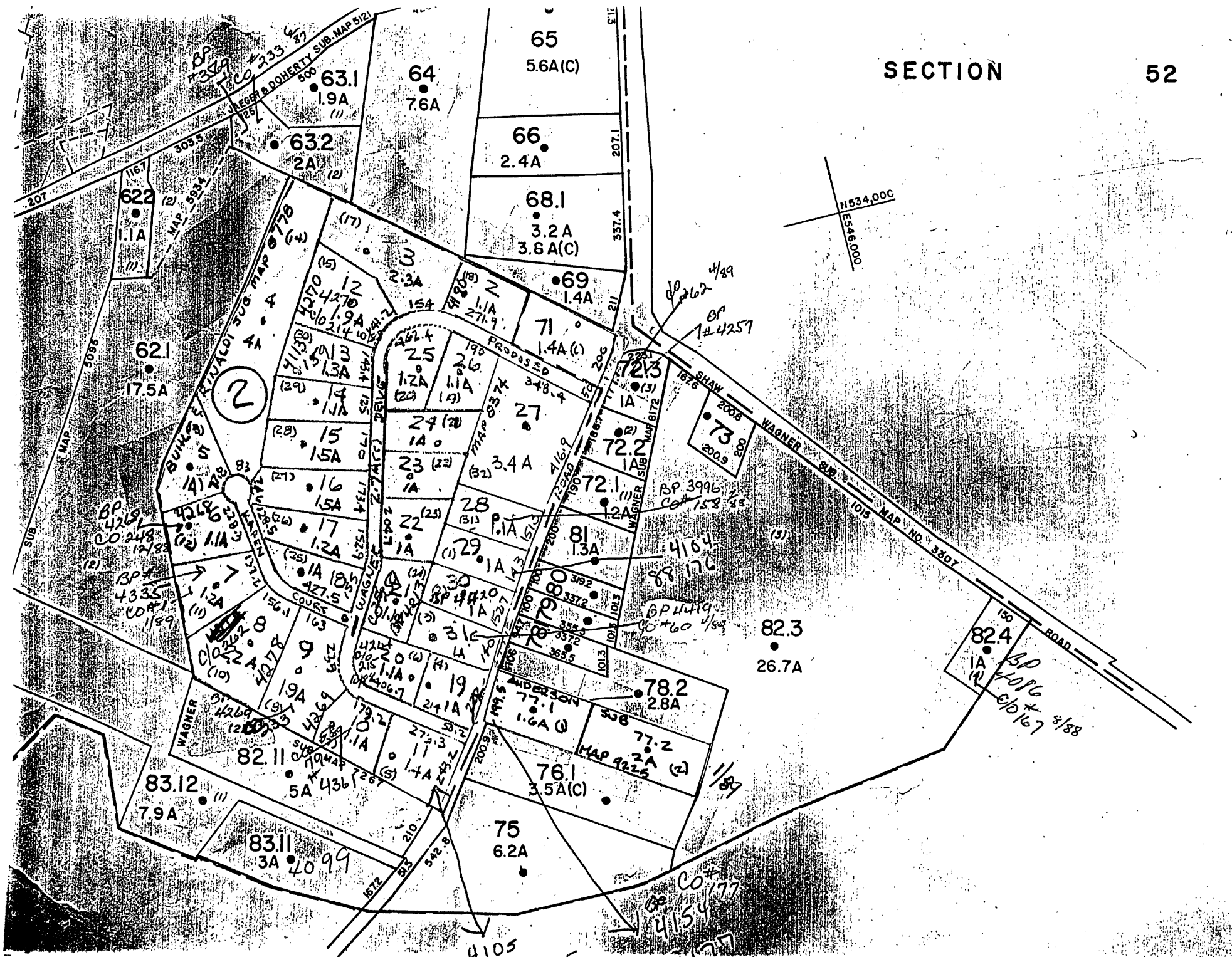
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## SECTION

52



# SURVEY: LANDS TO BE CONVEYED TO KELLY

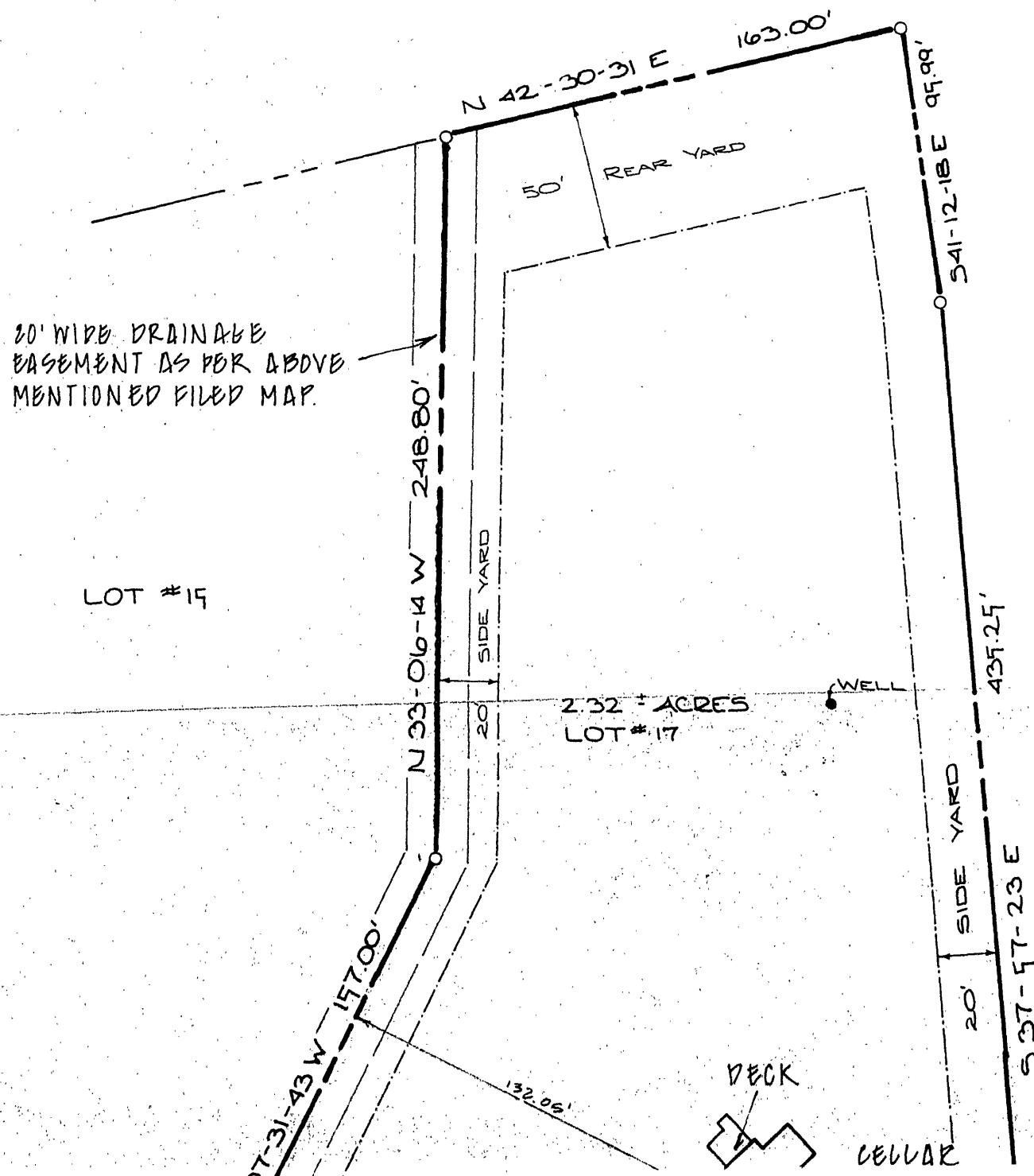
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
SCALE: 1 INCH = 50 FEET DATE: JUNE 8, 1988 REV. 6-27-89 - FINAL

TAX MAP DESIGNATION SECTION 91 BLOCK 2 LOT 7

DEED REFERENCE LIBER 2920 PAGE 140

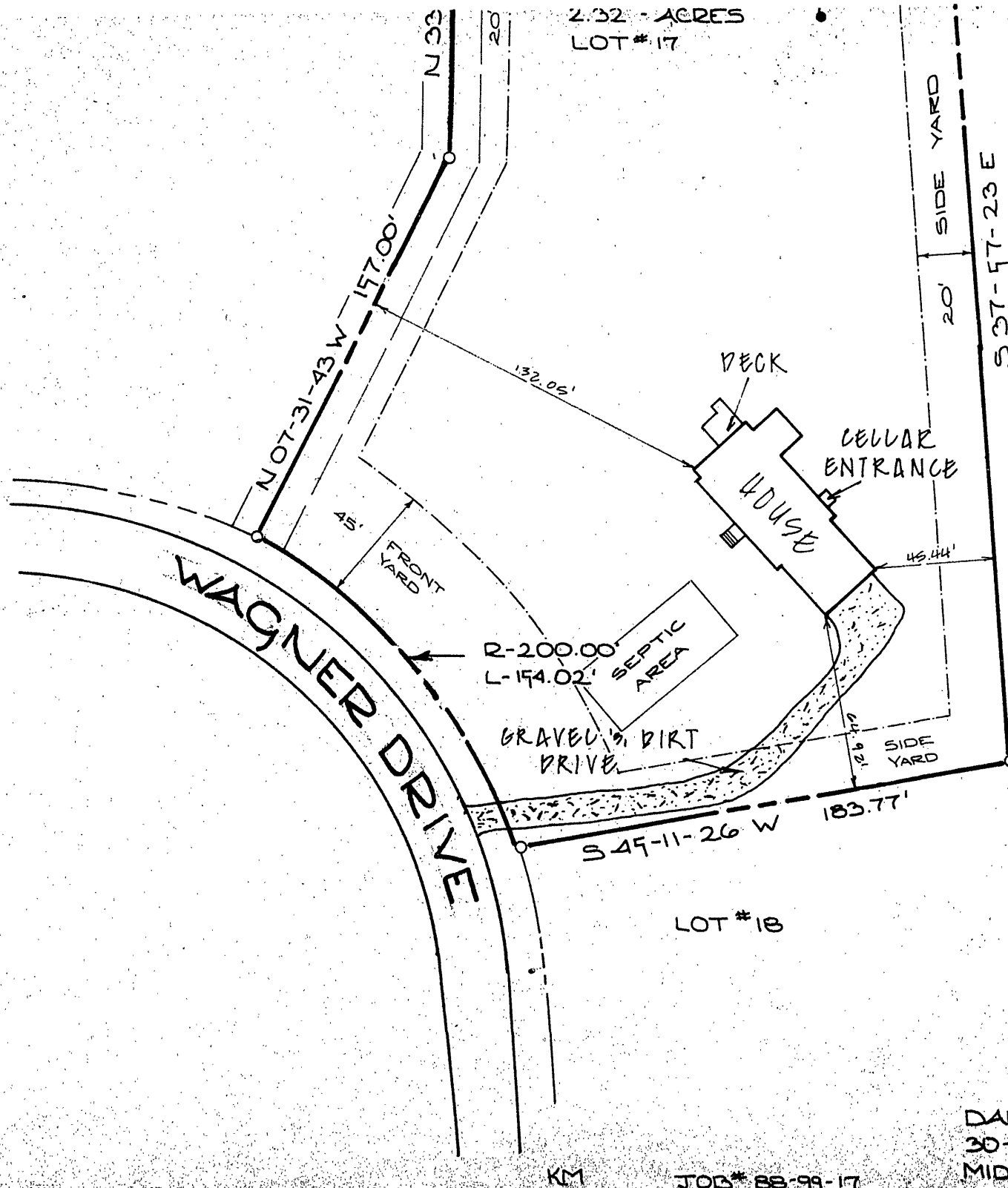
## REFERENCE:

BEING LOT #17 ON A SUBDIVISION MAP  
ENTITLED "BUHL AND RINALD SUBDIVISION"  
FILED IN THE ORANGE COUNTY CLERK'S  
OFFICE ON MARCH 24, 1988 AS MAP #8778



MAY 12, 1989  
CERTIFIED TO:  
GLADYS A. KELLY, ROBERT J.  
KELLY, JOHN R. KELLY,  
AMERICAN TITLE INSURANCE  
COMPANY AND SUBURBAN  
HOMES OF ORANGE COUNTY,  
INC. TO BE A TRUE SURVEY  
AND THAT IT IS TO THE BEST  
OF MY KNOWLEDGE AND  
BELIEF CORRECT.

*Ann H*



MAY 12, 1989  
CERTIFIED TO:  
GLADYS A. KELLY, ROBERT J. KELLY, JOHN R. KELLY,  
AMERICAN TITLE INSURANCE COMPANY AND SUBURBAN HOMES OF ORANGE COUNTY, INC. TO BE A TRUE SURVEY AND THAT IT IS TO THE BEST OF MY KNOWLEDGE AND BELIEF CORRECT.

*[Signature]*

DANIEL P. YANOSH, L.S.  
N.Y.S. LIC. #49561

"Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 2, of the New York State Education Law."

"Copies from the original of this survey map not marked with an original of the Land Surveyor's red inked seal or his embossed seal shall not be considered to be a valid true copy."

"Underground improvements or encroachments, if any, are not shown hereon."

"Subject to all recorded and defacto easements and rights-of-ways."

"Guarantees or Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said guarantees or certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Guarantees or certifications are not transferable to additional institutions or subsequent owners."

DANIEL P. YANOSH  
30-32 INDUSTRIAL DRIVE  
MIDDLETOWN, N.Y. 10940

JOB # 88-99-17

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 89-41

Date: 7/7/89

I. Applicant Information:

- (a) SUBURBAN HOMES OF ORANGE COUNTY, INC.-P. O. Box 286, Salisbury Mills, NY  
(Name, address and phone of Applicant) SHADY GROVE (Owner)  
(b) - ASSOCS.  
(Name, address and phone of purchaser or lessee)  
(c) -  
(Name, address and phone of attorney)  
(d) -  
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance  
☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-1 Wagner Drive (west side) 51-2-3 2.5 acres +  
(Zone) (Address) (S B L) (Lot size)  
(b) What other zones lie within 500 ft.? n/a  
(c) Is a pending sale or lease subject to ZBA approval of this application? no  
(d) When was property purchased by present owner? \_\_\_\_\_  
(e) Has property been subdivided previously? no When? -  
(f) Has property been subject of variance or special permit previously? no When? -  
(g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? no  
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a

IV. Use Variance: n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Blk. Regs., Col. G.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	/	/
Reqd. Rear Yd.	50 ft.	45.44 ft.
Reqd. Street Frontage*		4.56 ft.
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*	%	%
Floor Area Ratio**		

\* Residential Districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

The requested variance is not substantial in relation to the requirement as listed on bulk regulations; there will be no substantial increase in the population density thus produced on available governmental facilities; there will be no change in the character of the neighborhood; the difficulty cannot be obviated by alternative methods other than a variance; interest of justice would be served by the granting of the area variance of 4.56 ft.

VI. Sign Variance: n/a

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.



- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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VII. Interpretation:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

- (b) Describe in detail the proposal before the Board:

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VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The one-family residential dwelling which exists on 2.5 acres of area has substantially upgraded the neighboring properties since same falls within the residential character which exists at the present time.

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IX. Attachments required:

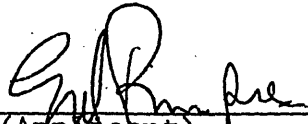
- x Copy of letter of referral from Bldg./Zoning Inspector.  
x Copy of tax map showing adjacent properties.  
    Copy of contract of sale, lease or franchise agreement.  
x Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.  
n/a Copy(ies) of sign(s) with dimensions.  
x Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.  
x Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 7/7/89

STATE OF NEW YORK )  
COUNTY OF ORANGE ) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

x   
(Applicant)  
SUBURBAN HOMES OF ORANGE COUNTY, INC.  
By: Edward Biagini, President

Sworn to before me this

10th day of July, 1989.

PATRICIA A. BARNHART  
Notary Public, State of New York  
No. 01BA4904434  
Qualified in Orange County  
Commission Expires August 31, 1989

XI. ZBA Action:

- (a) Public Hearing date \_\_\_\_\_.
- (b) Variance is \_\_\_\_\_.
- Special Permit is \_\_\_\_\_.
- (c) Conditions and safeguards: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

(17)

July 12, 1989

Suburban Homes of Orange County  
PO Box 286  
Salisbury Mills, N.Y.

Re: Tax Map 51-2-3

Variance List 500 Ft.

Dear Mr. Biagini:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$35.00 minus your deposit of \$25.00.

Please remit same to the Town Clerk, Town of New Windsor, N.Y.

Very truly yours,

*Leslie Cook* (K)

LESLIE COOK  
Sole assessor

LC/kaf  
Attachments  
cc:P.Barnhart

New York State Department of Transportation  
Stewart Airport  
PO Box 6100  
Stewart Airport  
New Windsor, N.Y. 12550

Thomas J. Mihalics ✓  
RD# 1, Box 5 A, Route 207  
Rock Tavern, N.Y. 12575

Aloisia Jaeger ✓  
Route 207  
Rock Tavern, N.Y. 12575

Edward Lyons ✓  
12 A James St.  
Washingtonville, N.Y. 10992

Arden & Craig Romanowski ✓  
Shaw Road  
Rock Tavern, N.Y. 12575

Frank Messina, Sr. ✓  
Box 25, Beattie Rd.  
Rock Tavern, N.Y. 12575

Angela Messina ✓  
Box 25, Beattie Rd.  
Rock Tavern, N.Y. 12575

Eileen C. Ossmann ✓  
26 Twin Arch Rd.  
Washingtonville, N.Y. 10992

Andree J. Dunn ✓  
Beattie Rd.  
Rock Tavern, N.Y. 12575

Carol T. & William R. Dalious  
253 Beattie Rd.  
Rock Tavern, N.Y. 12575

Shady Grove Assoc.  
12 Soctchtown Ave.  
Goshen, N.Y. 10924

Nannini & Callahan Excavating Inc.  
262 Angola Rd.  
Cornwall, N.Y. 12518

Christina & Kenneth Contursi ✓  
19 Wagner Dr.  
Rock Tavern, N.Y. 12575

Kathleen & Michael Fedish, Jr.  
17 Wagner Drive  
Rock Tavern, N.Y. 12575 ✓

Anthony Sulsentì  
730 Edge Grove Ass.  
Staten Island, N.Y. 10312

Mary & Robert W. Beck  
Wagner Drive ✓  
Rock Tavern, N.Y. 12575

Toby Rossman  
254 Beattie Rd.  
Rock Tavern, N.Y. 12575

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals  
of the TOWN OF NEW WINDSOR, New York will hold a  
Public Hearing pursuant to Section 48-34A of the  
Zoning Local Law on the following proposition:

Appeal No. 41

Request of SUBURBAN HOMES OF ORANGE COUNTY, INC./  
SHADY GROVE ASSOCS.

/for a VARIANCE of

the regulations of the Zoning Local Law to  
permit one-family residential dwelling with

insufficient rear yard;

being a VARIANCE of

Section 48-12 - Table of Use/Bulk Regulations-Col. G  
for property situated as follows:

West side of Wagner Drive, Town of New Windsor,

New York known and designated as tax map Section

51-Block 2-Lot 3.

SAID HEARING will take place on the 14th day of  
August, 1989, at the New Windsor Town Hall,  
555 Union Avenue, New Windsor, N. Y. beginning at  
7:30 o'clock P. M.

JAMES NUGENT  
Chairman